

INTERNATIONAL PRELIMINARY EXAMINATION REPORT  
(PCT Article 36 and Rule 70)

REC'D	05 MAR 2004
WIPO	PCT

Applicant's or agent's file reference F37367PC tge	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP 03/05248	International filing date (day/month/year) 19.05.2003	Priority date (day/month/year) 17.05.2002
International Patent Classification (IPC) or both national classification and IPC B60R21/09		
Applicant FICO CABLES S.A. et al.		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 2 sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion      II <input type="checkbox"/> Priority      III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability      IV <input type="checkbox"/> Lack of unity of invention      V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement      VI <input type="checkbox"/> Certain documents cited      VII <input type="checkbox"/> Certain defects in the international application      VIII <input type="checkbox"/> Certain observations on the international application</p>

Date of submission of the demand 17.12.2003	Date of completion of this report 03.03.2004
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer  de Acha González, J. Telephone No. +49 89 2399-7396



INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

International application No.

PCT/EP 03/05248

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-11 as originally filed

**Claims, Numbers**

1-7 received on 17.12.2003 with letter of 17.12.2003

**Drawings, Sheets**

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is<sup>13</sup>

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:
- the drawings, sheets:

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5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).  
*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	1-7
	No: Claims	
Inventive step (IS)	Yes: Claims	1-7
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**To Section V**

1. Reference is made to the following documents:

D1: US-A-5 996 440 (ISONO HIROSHI ET AL) 7 December 1999 (1999-12-07)

2. From D1 (cf. figures 1, 25 and 26), which represents the closest state of the art, discloses already the features of claim 1 but that the expandable slot comprises movable lateral walls along its longer sides projecting into said expandable slot which are moved out of said expandable slot by said pedal axis by exceeding a mechanical limit loading of said pedal axis so that said expandable slot receives said pedal axis.
3. Since the features of claim 1 are not known from D1 it appears that claim 1 meets the requirements of Article 33(2) PCT.
4. Starting from a pedal security system known from D1, the additional feature of claim 1 solves the objective problem of reducing the risk of injury of the driver and being cheaper from a manufacture and maintenance point of view.

None of the available prior art teaches that the aforementioned objective problem can be solved with the combination of features of claim 1. It appears that claim 1 meets the requirements of Article 33(3) PCT.

5. Claims 2 to 7 define further embodiments of the pedal security system according to claim 1. It appears therefore that also claims 2 to 7 meet the requirements of Article 33(3) PCT.
6. Since the pedal security system according to claims 1 to 7 can be made in vehicle industry, it appears that claims 1 to 7 meet the requirements of Article 33(4) PCT.

**Certain defects in the international application (form or content)**

7. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.
8. According to the requirements of Rule 11.13(I) reference signs not appearing in the description shall not appear in the drawings, and vice versa. This requirement is not met in view of the reference sign 1 on page 6 which does not appear in the drawings.
9. Page 2 contains statements explaining the disadvantages of applications from third parties. Such statements are not allowed according to Rule 9.1 iii) PCT and should therefore be deleted.

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FICO CABLES, S.A.

December 17, 2003  
F37367PC HS/Hy/tge

Claims

- 5 1. A pedal security system for pedal mounting, particularly in motor vehicles, comprising:
  - a. a pedal (20) rotatably mounted by means of a pedal axis (30);
  - 10 b. an opening (40) for receiving and retaining said pedal axis (30) which is connected to an expandable slot (50), characterized in that
  - 15 c. said expandable slot (50) comprises movable lateral walls (52) along its longer sides projecting into said expandable slot (50) which are moved out of said expandable slot (50) by said pedal axis (30) by exceeding a mechanical limit loading of said pedal axis (30) so that said expandable slot (50) receives said pedal axis (30).
- 20 2. Pedal security system according claim 1, wherein a pushing element (60) operates with said pedal axis (30) in such a way that it forces said pedal axis (30) in said expandable slot (50).
- 25 3. Pedal security system according to claim 1, wherein said expandable slot (50) predetermines a displacement path of said pedal axis (30).
4. Pedal security system according to claim 3, wherein said expandable slot (50) is formed by an elongated hole which is partly closed by the moveable lateral walls (52) projecting therein.

- 2 -

5. Pedal security system according to claim 4, wherein said moveable lateral walls (52) can be bend away, dismounted or pushed away based on the mechanical loading by said pedal axis (30).
- 5 6. Pedal security system according to claim 5, wherein said moveable lateral walls (52) are pushed away by said pedal axis (30) against the load of a spring.
7. Pedal security system according to one of the preceding claims, wherein said opening (40) for receiving the pedal axis (30) and said expandable slot (50) are arranged in a pedal block (10).  
10

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP 03/05248A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 B60R21/09 B60T7/06

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 B60R B60T G05G

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 996 440 A (ISONO HIROSHI ET AL) 7 December 1999 (1999-12-07)	1-5,7
A	column 17-19; figures 1,4-6,10,12,14,25,26 column 27-28 ---	6
X	EP 0 997 361 A (TELEFLEX INC) 3 May 2000 (2000-05-03) column 3, line 2 -column 4, line 25; figures 1-6 ---	1,3-5,7
X	DE 44 09 324 A (VOLKSWAGENWERK AG) 6 October 1994 (1994-10-06) the whole document ---	1-3,7
X	US 2002/007693 A1 (PAPENHAGEN DIETER ET AL) 24 January 2002 (2002-01-24) the whole document ---	1,3,7 -/-

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

## \* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

30 September 2003

17/10/2003

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## INTERNATIONAL SEARCH REPORT

International Application No  
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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
E	WO 03 045750 A (CHAMAILLARD JEAN-CLAUDE ;DESLANDES MAX (FR); RENAULT S A S (FR)) 5 June 2003 (2003-06-05) the whole document -----	1-3, 7

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 03/05248

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
US 5996440	A	07-12-1999	JP	9123948 A		13-05-1997
			DE	69626186 D1		20-03-2003
			EP	0788931 A2		13-08-1997
			US	5983746 A		16-11-1999
EP 0997361	A	03-05-2000	US	6070489 A		06-06-2000
			AU	716266 B1		24-02-2000
			CA	2283036 C		06-05-2003
			DE	69901991 D1		08-08-2002
			DE	69901991 T2		10-04-2003
			EP	0997361 A1		03-05-2000
			ES	2178867 T3		01-01-2003
			JP	2000148271 A		26-05-2000
			KR	2000028752 A		25-05-2000
DE 4409324	A	06-10-1994	DE	4409324 A1		06-10-1994
US 2002007693	A1	24-01-2002	DE	10022813 A1		22-11-2001
			EP	1153805 A2		14-11-2001
			JP	2002002460 A		09-01-2002
WO 03045750	A	05-06-2003	FR	2832969 A1		06-06-2003
			WO	03045750 A1		05-06-2003